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TO SECSTATE WASHDC NIACT IMMEDIATE 9068~~SECRET~~ BUENOS AIRES 1165E.O. 11652: GDS
TAGS: PFOR, SHUM, AR, US
SUBJECT: CALL ON FOREIGN MINISTER TO DISCUSS SITUATION ON HUMAN RIGHTS

1. ACCOMPANIED BY DCM AND POLCOUNS, I CALLED ON FOREIGN MINISTER GUZZETTI THIS AFTERNOON TO REVIEW MAJOR ISSUES IN BILATERAL RELATIONS--I.E., QUESTION OF HUMAN RIGHTS. I POINTED OUT TO GUZZETTI THAT THERE WERE GROWING INDICATIONS THAT THIS WAS BECOMING A MAJOR IRRITANT IN RELATIONS BETWEEN OUR TWO GOVERNMENTS. I NOTED THAT ARGENTINE EMBASSY IN WASHINGTON AND DEPARTMENT OF STATE ARE IN CLOSE CONTACT ON THE SITUATION BUT THAT I WISHED TO INDICATE TO HIM MY OWN SERIOUS CONCERN OVER WHAT I SEE AS POSSIBILITY OF UNWANTED CONFRONTATION. I ASSURED HIM THAT USG FULLY UNDERSTANDS THE DIFFICULTIES UNDER WHICH THE MILITARY ASSUMED POWER IN ARGENTINA AND FULLY UNDERSTANDS HOW COMPLEX IS THE PROBLEM WHICH THE GOA NOW FACES. WE HAD WISHED AND STILL WISH TO HAVE THE BEST RELATIONS POSSIBLE WITH THE GOA. I NOTED, HOWEVER, THAT OUR ABILITY TO DO SO MAY BE JEOPARDIZED UNLESS THE GOA CAN TAKE MEASURES WITH REGARD TO IMPROVED RESPECT FOR HUMAN RIGHTS. OVERALL OBJECTIVE WAS RULE OF LAW. I SUGGESTED AS TWO POSSIBLE IMMEDIATE STEPS TOWARD THAT OBJECTIVE (A) THE PUBLICATION OF A LIST OF ALL THOSE DETAINED FOR POLITICAL OR SECURITY REASONS AND (B) THAT THOSE RESPONSIBLE FOR EXCESSES

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BE BROUGHT TO JUSTICE.

2. FOREIGN MINISTER GUZZETTI MADE ENERGETIC REPLY. HE SAID HE NOTED ARGENTINE CHARGE WOULD SEE DEPUTY SECRETARY OF STATE TOMORROW AND THAT HE ASSUMED SUBJECT WOULD BE HUMAN RIGHTS. IT PAINED ARGENTINA, HE SAID, NOT TO BE UNDERSTOOD BY ITS FRIENDS. HE SAID HE OWED IT TO HONESTY TO ADMIT THAT THERE HAD BEEN PROBLEMS AND EXCESSES, BUT HE SAID GOA HAD FACED INCREDIBLE SITUATION WHEN IT TOOK POWER LAST MARCH AND NEEDED TIME TO BRING ABOUT THE SOLUTIONS WHICH EVERYONE DESIRED. THE GOA WAS DOING WHAT IT BELIEVED NECESSARY TO COME TO GRIPS WITH THE SITUATION. IT SAW NO ALTERNATIVE TO THE COURSE IT HAS CHOSEN AND WOULD BE WILLING TO LISTEN IF OTHER GOVERNMENTS HAD SUCH ALTERNATIVE. 3. WE POINTED OUT THAT U. S. UNDERSTANDS THAT ARGENTINA IS AT WAR WITH TERRORISTS. THE U. S. ITSELF HAS BEEN THROUGH A NUMBER OF WARS THE PAST FEW YEARS AND CAN, THEREFORE, READILY COMPREHEND WHAT GOA IS UP AGAINST. WE POINTED OUT, HOWEVER, THAT EVEN IN THE MIDST OF OUR BLOODIEST WARS WE HAVE TRIED TO OBEY THE LAW AND INTERNATIONAL NORMS. WHEN MEMBERS OF THE U. S. ARMED FORCES HAVE BEEN GUILTY OF EXCESSES, AS IN THE CASE OF LIEUTENANT CALLEY IN VIET NAM, THEY HAVE BEEN BROUGHT TO JUSTICE. IT IS, THEREFORE, EXTREMELY DIFFICULT FOR USG TO UNDERSTAND WHY GOA HAS NO ALTERNATIVES. RULE OF LAW IS IN

Department of State, A/GIS/IPS/BRP

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ITSELF AN ALTERNATIVE.

4. GUZZETTI REPLIED THAT U.S. WAS COUNTRY WITH 'STRONG INSTITUTIONS AND LONG TRADITION OF CONSTITUTIONALISM AND RULE OF LAW.. WHAT WORKED THERE WOULD NOT NECESSARILY WORK IN ARGENTINA. HE REITERATED THAT GOA WAS TAKING THE MEASURES IT BELIEVED APPROPRIATE TO CRITICAL SITUATION IT FACED. IT DID NOT CLAIM THAT ITS CONDUCT WAS PERFECT BUT IT DID ASK FOR UNDERSTANDING AND FOR AN EVEN HAND IN ANALYZING THE SITUATION. HE REPEATED AT SOME LENGTH COMPLAINTS THAT EVERYONE CRITICIZES GOA FOR ITS COUNTER-TERRORIST ACTIONS BUT NO ONE CONDEMNS TERRORISTS FOR ASSASSINATIONS AND KIDNAPPINGS.

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5. COMMENT: FOREIGN MINISTER WAS REASONABLY CORDIAL THROUGHOUT INTERVIEW BUT HE OBVIOUSLY FEELS VERY STRONGLY ON THE SUBJECT AND DID NOT MOVE AN INCH. JUDGING FROM HIS REACTION TO TODAY'S DEMARCHE, I DO NOT HAVE IMPRESSION GOA WILLING TO, OR PERHAPS IS NOT IN A POSITION TO, ACCEDE TO OUR SUGGESTIONS, SUCH AS PUBLICATION OF LISTS AND TRIALS FOR THOSE GUILTY OF VIOLATIONS.
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